



0000079748

BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

COMMISSIONERS

MIKE GLEASON, Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
KRISTIN K. MAYES
GARY PIERCE

2007 DEC 12 A 9:11

DOCKETED

DEC 12 2007

DOCKETED BY

nr

IN THE MATTER OF THE APPLICATION OF
GOLD CANYON SEWER COMPANY FOR A
DETERMINATION OF FAIR VALUE OF ITS
UTILITY PLANT AND PROPERTY AND FOR
INCREASES IN ITS RATES AND CHARGES FOR
UTILITY SERVICE BASED THEREON.

DOCKET NO. SW-02519A-06-0015

PROCEDURAL ORDER**BY THE COMMISSION:**

On January 13, 2006, Gold Canyon Sewer Company ("Gold Canyon" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for a determination of the current fair value of its utility plant and property and for increases in its rates and charges for wastewater utility service provided to customers in the Company's certificated service area in Pinal County, Arizona.

On June 28, 2007, the Commission docketed Decision No. 69664 granting a rate increase to Gold Canyon.

On July 18, 2007, the Residential Utility Consumer Office ("RUCO") filed an Application for Rehearing on two issues raised by RUCO during the hearing: an allegation of "excess capacity" in the Company's treatment plant and the capital structure employed in the Commission's Order.

During a Staff Meeting held on August 1, 2007, the Commission granted rehearing.

A procedural conference was held on September 5, 2007. During the procedural conference, the parties discussed, among other things, testimony filing dates and potential hearing dates.

By Procedural Order issued September 14, 2007, a hearing was scheduled for November 13, 2007, Gold Canyon was directed to publish notice of the hearing, and testimony filing dates were established.

By Procedural Order issued October 15, 2007, a procedural conference was scheduled for

1 October 22, 2007 to discuss a discovery dispute between the Company and Staff. The Procedural
2 Order also granted an extension of the testimony filing deadline.

3 The November 13, 2007, hearing was vacated due to unavailability of the hearing facility.
4 The hearing commenced on November 14, 2007, but did not conclude. At the end of the hearing on
5 November 14, 2007, the parties were directed to discuss scheduling of additional hearing days and
6 submit a proposed schedule.

7 On November 20, 2007, RUCO, Staff, and the Company filed a Joint Motion to Set
8 Continued Rehearing Dates. The parties requested that additional hearing days be scheduled for
9 January 17 and 18, 2007.

10 By Procedural Order issued November 29, 2007, the rehearing in this matter was scheduled to
11 resume on January 17 and 18, 2008.

12 On December 11, 2007, RUCO requested that the rehearing be rescheduled to resume on
13 February 25 and 26, 2008, due to an out of state commitment by RUCO's counsel. During a
14 teleconference conducted on December 11, 2007, counsel for Gold Canyon and Staff represented that
15 they do not oppose RUCO's requested continuance of the hearing date.

16 IT IS THEREFORE ORDERED that **the rehearing in this matter currently scheduled for**
17 **January 17 and 18, 2008, shall be cancelled, and the rehearing shall be rescheduled to resume**
18 **on February 25 and 26, 2008, at 9:30 a.m.,** at the offices of the Commission, 1200 West
19 Washington, Phoenix, Arizona.

20 IT IS FURTHER ORDERED that all parties must comply with Rule 33 (c) and (d) of the
21 Rules of the Arizona Supreme Court with respect to practice of law and admission pro hac vice.

22 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
23 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
24 Rules of the Arizona Supreme Court). Representation before the Commission includes the obligation
25 to appear at all hearings and procedural conferences, as well as all Open Meetings for which the
26 matter is scheduled for discussion, unless counsel has previously been granted permission to
27 withdraw by the Administrative Law Judge.
28

1 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
2 Communications) continues to apply to this proceeding.

3 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,
4 or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at
5 hearing.

6 Dated this 12th day of December, 2007

7
8 

9 DWIGHT D. NODES
10 ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE

11 Copies of the foregoing mailed/delivered
12 this 12th day of December, 2007 to:

13 Jay L. Shapiro
14 Todd Wiley
15 Patrick J. Black
16 FENNEMORE CRAIG, P.C.
17 3003 North Central Avenue, Suite 2600
18 Phoenix, AZ 85012

19 Scott Wakefield
20 RUCO
21 1110 West Washington Street, Ste. 220
22 Phoenix, AZ 85007

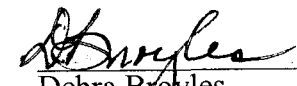
23 Andy Kurtz
24 MOUNTAINBROOK VILLAGE AT GOLD
25 CANYON RANCH ASSOCIATION
26 5674 South Marble Drive
27 Gold Canyon, AZ 85218

28 Mark Tucker, P.C.
2650 East Southern Avenue
Mesa, AZ 85219
Attorney for Cal-Am Properties, Inc.

Christopher Kempley, Chief Counsel
Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, AZ 85007

Ernest G. Johnson, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington
Phoenix, AZ 85007

ARIZONA REPORTING SERVICE, INC.
2200 North Central Avenue, Suite 502
Phoenix, AZ 85004-1481

By: 
Debra Broyles
Secretary to Dwight D. Nodes